

IN THE FEDERAL COURT OF AUSTRALIA
NEW SOUTH WALES DISTRICT REGISTRY

No.

of 2002

### MICROSOFT CORPORATION

First Applicant

MICROSOFT PTY LTD (ABN 29 002 589 460)

Second Applicant

INTERTRUST TECHNOLOGIES

CORPORATION



### APPLICATION

(Application under section 138 of the Patents Act 1990)

## A. DETAILS OF CLAIM

On the grounds appearing in the accompanying Statement of Claim, the Applicants claim:

- 1. A declaration that Australian Patent No. 728776 is and has been at all material times invalid.
- 2. An order that Australian Patent No. 728776 be revoked.
- 3. Costs.
- 4. Such further or other orders as the Court sees fit.
- B. CLAIM FOR INTERLOCUTORY RELIEF

Not applicable

DX 113, Sydney Tel: (02) 9296 2000 DATE: 27 November 2002

Kim Anne O'Connell
Mallesons Stephen Jaques
Solicitor for the Applicants

This application was prepared by Kim Anne O'Connell, the solicitor for the Applicants.

### C. NOTICE TO RESPONDENT

TO the Respondent

Intertrust Technologies Corp.
4750 Patrick Henry, Santa Clara, CA 95054
United States of America

This Application has been set down for the time and place stated below. If you or your legal representatives do not attend the Court at that time the Application may be dealt with and judgment may be given, or an order made, in your absence. As soon after the time mentioned as the business of the Court will allow, any of the following may happen:

- (a) the Application may be heard;
- (b) directions may be given for further conduct of the proceeding.

Before any attendance at Court, you must file an appearance in the registry.

Time and date for hearing:

Place:

Federal Court of Australia

Queen's Square

SYDNEY NSW 2002

An officer acting with the with

of the District Registrary

# D. ABRIDGMENT OF SERVICE

Not applicable

# E. FILING AND SERVICE

This Application is filed by Kim Anne O'Connell for the Applicants whose service is:

c/- Mallesons Stephen Jaques
Level 60
Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000
(Ref: KAO:NRM)
Email: kim.o'connell@mallesons.com

The First Applicant's address is:

One Microsoft Way, Building 8, Redmond, WA 98052-6399

The Second Applicant's address is:

Microsoft Park, 1 Epping Road, North Ryde, New South Wales 2113

It is intended to serve this Application on the persons listed below:

INTERTRUST TECHNOLOGIES CORP.